

**State of California
Environmental Protection Agency
AIR RESOURCES BOARD**

**Notice of Decision and
Response to Significant Environmental Issues**

Item: **ADOPTION OF A REGULATION TO REDUCE GREENHOUSE GAS EMISSIONS FROM HEAVY-DUTY VEHICLES**

Approved By: Resolution 08-44

Adopted By: Executive Order R-09-013

Agenda Item: 08-11-4

Public Hearing Date: December 11, 2008

Issuing Authority: Air Resources Board

Comment: The ARB has disclosed in Chapter 11 of the Staff Report the potential environmental impacts that the proposed regulation may have on public health and the environment. Staff received some comments regarding environmental impacts that may result from this item. These comments are summarized and responded to in the Final Statement of Reasons for this regulatory item, which is incorporated herein. The ARB also identified both benefits and potentially adverse environmental impacts of compliance with the proposed regulation. ARB expects significant environmental benefits and does not anticipate any significant adverse public health or environmental impacts associated with the regulation.

Please refer to Attachment 1 "ARB Staff Responses To Comments Raising Significant Environmental Issues Regarding the Proposed Regulation to Reduce Greenhouse Gas Emissions from Heavy-Duty Vehicles" for comments received relating to significant environmental issues and ARB staff's responses. (Attached)

/s/

Certified:

Trini Balcazar, Regulations Coordinator

Date:

October 23, 2009

ATTACHMENT I

Air Resources Board Staff Responses To Comments Raising Significant Environmental Issues Regarding the Proposed Regulation to Reduce Greenhouse Gas Emissions from Heavy-Duty Vehicles

69. **Comment (received during the 45-day comment period prior to Board hearing):** There's no provision in the bill for retreads. Eighty-some percent of fleets retread for economic considerations. It cuts a fleet's costs... and reduces the impact of waste tires on the environment. (Continental)

Agency Response: The regulation does not specifically exclude or include retread tires; however, retread tires will be considered compliant with the regulation as long as the casings are SmartWay verified. Regarding tires that will be replaced by SmartWay verified tires, those tires will continue to have a commercial value and use with other types of trailers and tractors that are unaffected by this regulation. Thus, staff determined that there will not be an environmental impact since these tires can be used in other fleet operations.

32. **Comment (received during the 15-day comment period post Board hearing):** The definition of "Low-rolling-resistance tires" should provide clarification as to the use of retreads. At a workshop on September 14, 2009, CARB staff indicated that the use of retread tires is a compliance option as long as the tire's original casing has been SmartWay certified. The ability to use retread tires is an important component of this regulation from both a cost and reuse/waste reduction perspective. Language clarifying the use of retread tires as a compliance option should be either included in the regulation or addressed in a formal guidance document. (ATA2)

Agency Response: Staff agrees with the commenter's assertion that the ability to use retread tires is very important from the economic and environmental point of views. The U.S. EPA SmartWay Program is currently working with the tire retread industry to develop specifications for SmartWay retread tires. As soon as the specifications are developed, ARB staff plans to update the regulation to include the requirements for SmartWay retread tires. Until then, staff plans to provide an interim guidance or advisory that retread tires may be used as long as the casings of the retreaded tire are made from an

originally SmartWay verified low rolling resistance tire. Regarding tires that will be replaced by SmartWay verified tires, those tires will continue to have a commercial value and use with other types of trailers and tractors that are unaffected by this regulation. Thus, staff determined that there will not be an environmental impact since these tires can be used in other fleet operations.